

Meeting Minutes

Board of Directors of The American Ranch Domestic Water Improvement District

August 21, 2017

10:00 a.m. at

The American Ranch – Ranch House

9500 American Ranch Road, Prescott, Arizona

District Board Meeting Guidelines: The meeting will be held in accordance with A.R.S. Title 38 Open Meeting Laws. Board and attendees participation shall be civil and courteous. Any disruptive behavior could result in removal from the meeting. Comments and questions from the public shall be called upon by the Board Chairman, and shall begin with stating and spelling of the speaker's name and address. All comments and questions shall be directed to the Board Chairperson. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting Jennifer Bartos, Improvement District Services, Inc. at (928) 443-9484. Requests should be made as early as possible to allow time to arrange the accommodation. Requests for copies of Board Meeting minutes or other District documents, inquiries, or complaints should be submitted in writing to: Improvement District Services, Inc., 1965 Commerce Center Circle, Suite A, Prescott, AZ 86301.

Call to Order – Monte Anderson, Bill Yates, and Cynthia Baker present. Jason Gisi and Brent Matthews absent.

Also present and participating: Jennifer Bartos, District Clerk; Dakota King, District Administrator, Improvement District Services Inc.; Jean White, HOAMCO; Victor Guerrero, Rich Gilbert, Mark Kaplan and Roy Engerhausen, members of the community.

1. Discussion and possible action regarding a Memorandum of Understanding with the American Ranch Homeowner's Association.

Director Yates stated that the Memorandum has now been revised by the District and counter revised by the Association. He expressed concerned for the phrase "authority and power" in the context of the second sentence under item 1. Director Baker stated that this sentence can be removed for clarity. Director Yates requested information regarding the Association's opinion to remove the sentence, to which Mr. Gilbert & Mr. Guerrero stated that; while they could not speak on behalf of the board, they personally saw no reason that the sentence in question could not be removed. Mr. Guerrero, Mr. Gilbert, and Mrs. White stated that the HOA Board's most recent revision was not reviewed by council and the HOA Board felt this MOU should simply be an agreement in principal between both Boards without further intervention by either Board's council. The District BOD agreed that further review by attorneys for either BOD was unnecessary.

Motion: by Director Anderson to approve the agreement contingent upon the exclusion of the sentence "The District also acknowledges that it does not have the authority, power or responsibility to meter water withdrawn from such wells, or to charge for water withdrawn from such wells except in cases where that homeowner requests them to do so." on page 2, item 1, second sentence of the Memorandum, second by Director Baker. Unanimous Approval.

Public Comment Period: The public will be given the opportunity to comment to the Board of Directors on non-agenda item issues pertaining to the District. This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Two minutes will be allowed for each speaker.

Roy Engerhausen – Stated that the agenda was difficult to discover and suggested an email notification be sent out.

Mark Kaplan – Asked if the Memorandum would apply to wells already created.